

Strike out in lines 5 and 6 the words "free of obstructions at the top," and substitute the words "there shall be no obstruction at the top lower than twelve feet."

Senator Lane made the point of order that the Senate had adopted a motion to consider the bill by sections, and that article 4382 was being considered.

On motion of Senator Upshaw,
The Senate adjourned till 10 o'clock a. m. to-morrow.

THIRTIETH DAY.

SENATE CHAMBER,
AUSTIN, February 13, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Upshaw,
The reading of the Journal of yesterday was dispensed with.

The President gave notice of signing, and did sign in open session of the Senate, the following bills:

Senate bill No. 22, a bill to be entitled "An act to amend an act entitled an act to amend chapter 2, title 96, of the Revised Civil Statutes of the State of Texas, by adding thereto article 46-6a, providing for the assessment of live stock in pastures in the several counties in which such pastures are situated."

Senate bill No. 69, a bill to be entitled "An act to amend article 507, chapter 11, of the Revised Civil Statutes, so as to provide for the incorporation of towns and villages situated on both sides of a line dividing two counties," and

Senate bill No. 112, "An act to reorganize the Thirty-first, Thirty-second and Thirty-ninth judicial districts and to create the Forty-sixth and Forty-seventh judicial districts of the State of Texas, to fix the time for holding courts therein, and to provide for the appointment and election of judges and district attorneys in the Forty-sixth and Forty-seventh judicial districts and to repeal all laws and parts of laws in conflict herewith."

PETITIONS AND MEMORIALS.

By Senator Tyler:

Petition of M. T. Skinner of Hamilton county, asking to be relieved from the payment of peddler's licence, on account of being totally blind.

Referred to Committee on Finance.

By Senator Atlee:

Petition of citizens of Duval county asking for an increase of appropriation for the ranger service and that an adequate force of rangers be continued for duty in the counties comprising the Twenty-eighth judicial district for protection of the people and the stock interests of the district.

Referred to Committee on Military Affairs.

Petition of citizens of Duval county, asking that the office of inspector of hides and animals for Duval county be abolished.

Referred to Committee on Stock and Stockraising.

By Senator Glasscock:

Petition of Colonel J. K. Holland in reference to important relics of history of the State of Texas.

Referred to Committee on Insurance, Statistics and History.

By Senator Seale:

Petition from citizens of Polk county for a railroad commission bill.

Referred to Committee on Internal Improvements.

By Senator Sims:

Petition of citizens and teachers of Coleman county, asking that occupation tax on all honorable occupations be repealed.

Referred to Finance Committee.

The Senate was notified by the Governor of the appointment of the following notaries public:

TARRANT COUNTY.

Fort Worth—George W. Finger, P. D. Wyatt, D. S. Brown, W. S. Essex, R. Y. Prigmore, J. C. Scott, G. W. Alexander, Wilson Gregg, H. T. Smith, Thomas P. Martin, George Mulkey, John F. Zinn, J. D. Ballard, James Harrison, J. C. Terrell, jr., John F. Swayne, Frank M. Maple, Irby Dunklin, C. E. Trice, A. R. Mabry, J. S. Owsley, L. B. Imboden, T. J. Powell.

JACK COUNTY.

Jacksboro—James R. Robinson, Geo. Spiller.

PARKER COUNTY.

Bedford—H. E. Valentine.
Weatherford—J. E. B. Stewart, E. P. Nicholson.

AUSTIN COUNTY.

Industry—Max Meissner.
Cochran—John B. Melson.
Bellville—E. R. Thomas, J. H. Machemehl.
Kenneyville—J. E. Thompson.
Sealy—Thomas Sutton.

ARMSTRONG COUNTY.

Claude—Wilson W. Goodwin.

ARCHER COUNTY.

Archer City—A. L. Deeren, W. W. Deeren.

CROSBY COUNTY.

Estacado—R. P. Smythe.

CALLAHAN COUNTY.

Baird—D. Richardson.

CHILDRESS COUNTY.

Childress—R. W. Biggerstaff.

CARSON COUNTY.

Plainview—J. G. Williams.

HARTLEY COUNTY.

Tuscona—Edward L. McDonough.

HANSFORD COUNTY.

Farwell—D. C. Jones.

MITCHELL COUNTY.

Colorado City—J. D. Halit, J. H. Morrison.

LIPSCOMB COUNTY.

Lipscomb—W. L. Brown, O. C. Bushy.

OCHILTREE COUNTY.

Childress—C. E. Jones.

POTTER COUNTY.

Amorillo—J. T. Hollam, C. B. Viorian.

SHACKELFORD COUNTY.

Albany—J. R. McConnell.

SCURRY COUNTY.

Albany—C. D. Davis.
Snyder—C. M. Williams.

SHERMAN COUNTY.

Tascosa—J. W. O'Bryan.

WILBARGER COUNTY.

Vernon—Frank S. Kerr.

BELL COUNTY.

Temple—J. E. Moore, T. E. Sanford.
Belton—J. T. Witt, H. E. Surghnor.
Little River—E. J. Simpkins.
H. E. Bradford.

BROWN COUNTY.

Indian Creek—W. M. Hooper, A. D. Moss, W. H. Scott, W. A. Farmer, W. J. Evans, B. G. Sweet, W. A. McIntosh, W. R. Davidson, Chas. Rogan.

CALDWELL COUNTY.

Lockhart—H. A. Rice.
Luling—W. A. Evans.

CHEROKEE COUNTY.

Jacksonville—A. J. Chesher.
Troupe—R. H. Childers.
Mount Selman—T. J. Stovall.

CHAMBERS COUNTY.

Double Bayou—H. H. Jackson.

ORANGE COUNTY.

Orange—John T. Hart, H. D. Sells, John G. Burton, S. Chenault.

HARDIN COUNTY.

Kountze—John H. Work.
Sour Lake—Joseph Mabry.

JEFFERSON COUNTY.

Beaumont—F. C. McReynolds, T. J. Rupell, Mark Wlep, George C.

O'Brien, George W. O'Brien, A. B. Weaver.

LIBERTY COUNTY.

Liberty—J. F. Lanier, George Ricks, G. E. Taylor, Alfred Isaacs.

COLLIN COUNTY.

Rhea's Mills—John L. Davis.

COMANCHE COUNTY.

De Leon—G. M. Lambert, A. M. Barker, W. C. Croft.

Comanche—W. O. Hamilton, J. E. Chilton, O. P. St. Clair, George W. Conoway, Thomas Ganes, S. V. Wood. Wilson—George H. Speegle. Seft Springs—Jules Karkulits.

DALLAS COUNTY.

Dallas—J. C. Patton, H. I. Phillips.

DELTA COUNTY.

Ben Franklin—G. W. Patterson, T. G. Garrard.

Lake Creek—B. B. Taylor.

Unita—J. B. Redus.

Needmore—J. J. Miller.

Charleston—J. A. Bates.

Cooper—D. H. Lane, W. F. Whitten, D. H. Cabeen, J. W. Patterson.

EASTLAND COUNTY.

Rising Star—W. P. Bucy.

TRAVIS COUNTY.

Manor—John F. Nagle.

EL PASO COUNTY.

El Paso—C. H. McGinnis.

EASTLAND COUNTY.

Eastland—R. M. Black, W. L. Calhoun, G. W. Dakan.

Nimrod—Wm. Munn.

Carbon—W. B. Train.

Curtis—R. R. Wells.

Cisco—F. E. Larimer, J. E. Luse, D. Redfield, L. E. Brannin.

Rising Star—W. P. Bucy.

PALO PINTO COUNTY.

Strawn—Francis Granger.

Palo Pinto—J. L. Cunningham, D. L. Cunningham, L. A. Sullivan, J. H. Barker, C. W. Massie, J. S. Straughan, J. C. Son.

Mineral Wells—J. C. Haynes.

Angora—F. W. Ingalls.

Gordon—J. T. Daniels.

STEPHENS COUNTY.

Wayland—John D. Rhea. Breckenridge—Wm. Veale, John W. Veale, W. J. Haynes, T. W. Brown.

Eolian—S. S. Cook.

Crystal Falls—J. T. Crawford.

South Prairie—R. F. Repass.

FALLS COUNTY.

Viesca—Matt. D. Jones.

FANNIN COUNTY.

Valley Creek—H. L. Parmele. Honey Grove—S. L. Erwin, Young Burgher, G. W. Wells. Leonard—James W. Groves. Bonham—John A. Barnard. Ladonia—W. G. Nun. Gober—C. Y. Thomas.

FANNIN COUNTY.

Bonham—J. A. Barnard, F. G. Abernathy, E. D. Steges, E. Agnew, Charles G. Nunn, R. E. Allen, J. C. Evans, J. P. Holms, J. N. Lane, J. W. Evans, J. T. R. Jarrett. Honey Grove—S. J. Galbraith, Young Berghn. Ladonia—Brown Johnson, E. W. Cummins, G. W. Donalson, E. L. Jarrot.

Dodd—F. D. Stewart, W. H. Cobb. Bailey—James Wilson, J. S. Crawford.

Leonard—J. W. Graves, G. W. King.

Trenton—J. N. Fairchild.

Savoy—F. M. Murray.

Tulip—A. J. Durkworth, Phillip Pearson.

Ivanhoe—F. Haggart.

Telephone—I. M. Kimmins.

Gober—C. Y. Thomas.

Winethorn—T. J. Self.

Ravenna—John Cunningham.

Elwood—J. E. Deupres.

Nobility—J. R. Young, W. W. Fuller.

Lamasco—Eli Wilson.

Randolph—J. F. Reed.

Monks Town—C. C. Reelman.

Ector—M. Keithley.

FRANKLIN COUNTY.

Purly—W. W. Long.

FALLS COUNTY.

Marlin—J. T. Sumervell, M. H. Curry, W. A. Patrick, J. R. McDonald, J. F. Knox, W. J. Finks, J. A. Kelg-

win, Wm. Shelton, Charles H. Bartlett.

Durango—J. M. Stewart.

Barclay—J. F. Knox.

Mooreville—Ed McCollough.

Viesco—Matt D. Jones.

Reagan—J. V. Wright, D. H. Boyles.

Terry—Wm. Hander.

Kosse—A. J. Jennings.

Rupée—G. A. Hodges.

FREESTONE COUNTY.

Personville—T. W. Bond.

Wortham—A. J. Red, J. W. Inghram.

Fairfield—J. D. Childs, J. R. Bell, B. S. Gardner, O. C. Kirwin, J. B. A. Folke.

Kechi—J. W. Tinsley.

Butler—W. L. Edwards, jr.

Cotton Gin—W. F. Story.

Bonner—W. R. Anderson.

Mills—John Williams.

Brewer—T. S. Thomas.

Luna—Chas. E. Grayson.

Dew—J. W. Compton.

GREGG COUNTY.

Josiah F. Reynolds.

HAYS COUNTY.

Dripping Springs—J. C. Rowe.

JOHNSON COUNTY.

Pleasant Point—James H. Owens.

Cleburne—W. L. Williams, J. H. House, J. M. Odell, J. T. Brooks.

Alvarado—J. M. Campbell.

KAUFMAN COUNTY.

Kaufman—S. H. Jack, S. N. Adams, G. W. Voira, W. H. Barnes, Math. Elliott, A. J. Hindman, R. A. Hindman, Nestor Morrow, L. R. Stroud, D. B. Mizell.

Terrell—W. P. Williams, M. W. Raley, S. M. Cannon, Vic. Rheinhardt, B. L. Gill, Q. S. Barrett, S. F. Seake, J. B. Daniel, R. L. Warren.

Forney—A. M. Penry, J. R. Daugherty, R. C. Gillespie.

Elmo—D. W. Coffman, H. K. Hart.

Poetry—W. R. Fletcher, S. F. Sutton.

Kemp—Eugene Still, W. L. Givins, Jessie Moore.

Abner—J. T. Ayres, G. E. Chilcoat.

Crandall—B. J. Hubbard, G. H. Crawford.

Lawndale—H. B. Williams, L. H. Bryant.

Tolosa—M. Ware, A. W. Todd.

Peed's Mill—G. A. Buchanan.

Becker's Mill—J. W. Spikes.

LAMAR COUNTY.

Paris—T. S. Hill, E. S. Connor, Jos. Allen, T. J. Vaughan, J. M. Early, Frank T. Hooks, P. W. Hamson, Geo. A. Titterington, Austin Pollard, J. R. G. Long, E. P. Scott, H. B. Birmingham, Owen P. Hale, W. P. Good, Frank Lee, J. H. Waner, B. F. Fuller, J. E. Ellis, L. A. Cunningham, J. H. Wright, T. H. Skidmore, B. J. Baldwin, jr., D. K. Foosher, W. L. Burdett, J. F. McReynolds, Ben. H. Denton, Wm. Huddle, J. C. Oats, R. D. Lightfoot.

Blossom—S. T. Fagan, S. W. Luther, J. A. Brewer, J. W. Hayes, W. A. Roach.

Petty—Lewis Clark.

Milton—James L. Hutchins.

Bairdtown—Ed. Skidmore, S. C. Bryson.

Glory—S. C. Ratliff.

Maxey—R. G. Cloud.

Grove—A. N. Bost.

Arthur City—W. H. Tinnin.

Garretts—T. W. Carlock.

Pattonville—S. S. Crocket, T. C. Bentley.

Cochran's Store—Ed. Collins.

Chicota—R. W. Draper.

Deport—J. R. Bishop.

Roxton—G. B. Whipple.

Minter—Jno. M. Parker.

FANNIN COUNTY.

Honey Grove—C. J. Joiner, John B. Stephens.

RED RIVER COUNTY.

Halesboro—G. I. Terrell.

LEON COUNTY.

Oakwoods—W. H. Vaughn, F. B. Looney.

Jewett—B. D. Dashielle, J. L. Ellis, J. J. Dotson.

Centerville—J. D. Patrick, J. B. Potter.

Lesma—Horatio Durst, T. G. Nixon.

Marque—F. M. Amos.

Raymond—B. F. Burroughs.

Hardin Store—T. L. Bryan.

Rogers Prairie—C. L. Dotson.

Middleton—J. C. Davis.

Buffalo—Frank Watson.

Poor—J. P. Guilan.

MILLS COUNTY.

Goldthwaite—George Whitaker, A. J. Austin, Matthew Roach, Phil H.

Clements, H. K. McLeod, W. S. Marshall, J. R. Cowles.

PANOLA COUNTY.

Center—Captain D. M. Thorp.
Nacogdoches—W. H. Crouch.
Dargan—J. L. Oden, J. H. Brimble.
Logan—L. H. Adams.

RUSK COUNTY.

Caledonia—H. H. Moreland.
Center—John Holt.
R. B. Longmire.

SHELBY COUNTY.

Timpson—D. M. Deason.
Melrose—John N. Wilson.

MADISON COUNTY.

Madisonville—M. Y. Randolph, J. F. Randolph, W. M. Imboden, R. R. Boyd.

Willowhole—S. T. Daniel.
Searcy—T. A. Searcy.
Midway—C. A. Forrest, J. W. Gillespie, A. P. Burrows, W. J. Deen.
Rogers Prairie—G. D. Hines, A. M. Hill.

NEUCES COUNTY.

Thomas Hickey.

PARKER COUNTY.

Weatherford—J. E. B. Stewart.
Veal Station—D. N. Ferguson.
Fremont—John R. Bullington.

PALO PINTO COUNTY.

Palo Pinto—R. E. Hendry.

RAINS COUNTY.

Emory—H. W. Martin, W. N. Brook, Theodore J. Fenn.
Lone Oak—Wm. F. McMahan.
Daisy—James Garrett.
Cold Hill—E. J. Wright.

TARRANT COUNTY.

Fort Worth—Wilson Gregg.

TRAVIS COUNTY.

Austin—Walter J. Swain.

WISE COUNTY.

Wise—J. W. Greenfield.

GREER COUNTY.

Mangum—J. A. Powers.

YOUNG COUNTY.

Graham—A. B. Gant.

WOOD COUNTY.

Mineola—J. H. Newsome, Geo. A. Cage, S. R. Bruce, D. W. Crow, W. B. Teagarden.

Albia—John Y. Schenck.
Quitman—A. J. Angle, W. A. Hart.
Winsboro—J. M. Lankford, J. D. Richardson, R. L. Pounder, R. M. Finley.

WILBARGER COUNTY.

G. W. Walters.

REPORTS OF STANDING COMMITTEES.

By Senator Jarvis.

COMMITTEE ROOM,

AUSTIN, February 12, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Finance, to whom was referred

Senate bill No. 266, entitled "An act to provide the manner of assessing and collecting a tax on property in newly created counties and territory cut off from one county and attached to another county to pay their pro rata share of the indebtedness of the parent county existing at the time of the severance of a part of its territory,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

JARVIS,
Chairman.

Bill read first time.

COMMITTEE ROOM,

AUSTIN, February 12, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Finance, to whom was referred

Senate bill No. 214, entitled "An act to provide for the issuance of bonds of this State to supply deficiencies in the revenue, and to provide the manner of the sale of said bonds to the Board of Education for the permanent University fund,"

Have had the same under consideration, and instruct me to report it

back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

JARVIS,
Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 12, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Finance, to whom was referred

Senate bill No. 188, entitled "An act to provide for the payment of the bonds of the State issued under an act approved August 5, 1870,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that the accompanying substitute for said bill do pass:

CAPTION OF SUBSTITUTE.

A bill to be entitled "An act to provide for the payment of the bonds of the State issued under an act of the Legislature, approved August 5, 1870."

All of which is respectfully submitted.

JARVIS,
Chairman.

Bill read first time.

By Senator Sims:

COMMITTEE ROOM,
AUSTIN, February 13, 1889.

Hon. T. B. Wheeler, President of the Senate.

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 260, entitled "An act to fix the terms of the district court of the Twenty-sixth judicial district,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

SIMS,
Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 334, entitled "An act

to prescribe the times of holding the terms of the district court in the Forty-first judicial district, and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

SIMS,
Chairman.

Bill read first time.

By Senator Cranford:

COMMITTEE ROOM,
AUSTIN, February 12, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 258, entitled "An act to incorporate the city of Fort Worth, and to grant a new charter to said city,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

Your committee find that due notice was given of the intention of the city of Fort Worth to apply for the passage of this act, and that said notice was published every day from the eighth day of December, 1888, to the sixth day of January, 1889, inclusive.

All of which is respectfully submitted.

CRANFORD,
Chairman.

Bill read first time.

By Senator Davis:

COMMITTEE ROOM,
AUSTIN, February 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Enrolled Bills, have carefully examined and compared

Senate bill No. 112, being "An act to reorganize the Thirty-first, Thirty-second and Thirty-ninth judicial districts of Texas, and to create the Forty-sixth and Forty-seventh judicial districts of the State of Texas, to fix the times for holding courts therein, and to provide for the appointment and election of judges and district attorneys in the Forty-sixth and Forty-seventh judicial districts, and to repeal all laws in conflict herewith,"

And find the same correctly enrolled, and have this day, at 10:30 o'clock a.

m., presented the same to the Governor for his signature.

DAVIS,
Chairman.

COMMITTEE ROOM,
AUSTIN, February 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 22, being "An act to amend an act entitled an act to amend chapter 2, title 96 of the Revised Civil Statutes, by adding thereto article 4676a, providing for the assessment of live stock in pastures in the several counties in which such pastures are situated,"

And find the same correctly enrolled, and have this day at 10:30 o'clock a. m. presented the same to the Governor for his signature.

DAVIS,
Chairman.

COMMITTEE ROOM,
AUSTIN, February 13, 1889.

Hon. T. B. Wheeler, President of the Senate

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 69, being "An act to amend article 507, chapter 11, of the Revised Civil Statutes, so as to provide for the incorporation of towns and villages situated on both sides of a line dividing two counties,"

And find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his signature.

DAVIS,
Chairman.

By Senator Burges:

COMMITTEE ROOM,
AUSTIN, February 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Public Lands, to whom was referred

House bill No. 21, entitled "An act to mak valid and to confirm certain contracts of sale made by the Land Board of the State of Texas, made with divers persons for the sale of certain of the free school and asylum lands of the State of Texas, sold under the act of the Legislature of the State of Texas, approved April 12, 1883,"

Have had the same under consideration, and instruct me to report it

back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BURGES,
Chairman.

Bill read first time.

BILLS AND RESOLUTIONS.

By Senator Townsend:

A bill to be entitled "An act to amend section 1, chapter 81, of an act entitled an act to regulate the sale of spirituous, vinous or malt liquors or medicated bitters, to fix the rate of occupation tax upon all persons, firms or associations of persons engaged in the sale of spirituous, vinous or malt liquors or medicated bitters; to define the manner and time of collecting such tax, and to affix penalties for failure to pay the same, and to repeal all laws and parts of laws in conflict with the provisions of this act."

[Provides that for selling pure native wine, the tax shall be fifty dollars per annum.]

Referred to Committee on Finance.

By Senator Glasscock:

A bill to be entitled "An act to amend chapter 115, page 117, of the acts of the Eighteenth Legislature, entitled an act to provide for the payment of the expenses of attached witnesses in felony cases, approved April 23, 1883, and to repeal all laws in conflict therewith."

Referred to Committee on Judicial Districts.

By Senator Glasscock:

Joint resolution to amend section 10, article 1 of the State Constitution.

[The resolution seeks to omit from this section the words "shall be confronted with the witnesses against him, and shall have compulsory process for obtaining witnesses in his favor."]

Referred to Committee on Constitutional Amendments.

By Senator Sims:

A bill to be entitled "An act to amend article 969, title 24, of the Revised Civil Statutes."

[Provides that commissioners' courts shall not transfer funds belonging to the road fund to any other except in case of an excess.]

Referred to Judiciary Committee No. 1.

A bill to be entitled "An act to amend article 2393, chapter 3, title 42, Revised Civil Statutes."

[Refers to fees of the clerk of the county court.]

Referred to Judiciary Committee No. 1.

By Senator Burges:

A bill to be entitled "An act to amend article 4667, title 95, chapter 1, Revised Statutes of Texas."

[Provides that jury and county scrip may be paid on taxes only in the order of registration, except by the person to whom the same was directly issued.]

Referred to Judiciary Committee No. 1.

By Senator Seale:

A bill to be entitled "An act to amend section 2 of an act entitled an act for the relief of Z. E. Collier, Thomas Collier and Wm. Ramer, passed by the Nineteenth Legislature of the State of Texas."

Referred to Committee on Private Land Claims.

By Senator Tyler:

Senate concurrent resolution requesting Senators and Representatives from Texas in Congress to secure passage of joint resolution appointing a board of three engineer officers of the United States army to make examination of northwest coast of Gulf of Mexico for the purpose of selecting most suitable location for deep water harbor and to procure a permanent appropriation therefor.

Referred to the Committee on Federal Relations.

By Senator Tyler:

A bill to be entitled "An act setting apart the 22nd day of February of each year as Arbor Day, and to encourage the planting of trees in this State."

Referred to Committee on State Affairs.

By Senator Pope:

Senate concurrent resolution by adding additional member of the Senate to Joint Committee to meet in convention at such point as the Governor of Kansas may name, to confer with other committees from other States with reference to beef combine.

Referred to Committee on Stock and Stockraising.

By Senator Burney:

A bill to be entitled "An act to authorize the Governor of Texas to procure and place in the statuary hall at Washington City, D. C., a statue of General Sam Houston, and providing

details preparatory therefor, and making appropriations for the same."

Referred to Committee on State Affairs.

By Senator Upshaw:

Senate concurrent resolution, "Requesting members of Congress from the State of Texas to oppose passage of the Blair bill, pending in Congress of the United States."

Referred to Committee on Federal Relations.

By Senator Seale:

Senate concurrent resolution requesting members of Congress from the State of Texas to urge upon the proper department of the general government the necessity of a separate marine district on the Texas gulf coast, and the early establishment of the same.

Referred to Committee on Federal Relations.

By Senator Stephens:

A bill to be entitled "An act to create the Hale, Potter, Carson, Lipscomb, Childress, Midland, Stonewall and Howard land districts, and to amend sections 1 and 3, of an act entitled an act to create the Martin, Scurry, Crosby and Knox land district, approved April 1, 1887."

Referred to the Committee on the General Land Office.

By Senator Atlee:

Concurrent resolution to request our Senators and Representatives in Congress to secure the passage of laws to define and regulate the rights and privileges of citizens of several of the States and Territories and the State of Texas respecting the use of waters of inter-state streams.

The concurrent resolution was adopted by the Senate and reported to the House.

Substitute for Senate bills Nos. 79 and 91, a bill to be entitled "An act amendatory of and supplementary to title LXXXVII, chapter 1, of the Revised Civil Statutes of the State of Texas, from article 4359 to 4390 inclusive, and the acts amendatory thereof passed at the called session of the Eighteenth Legislature, chapter XI, approved February 2, 1884, and chapter XIII, approved February 5, 1884, chapter XXIX, approved February 7, 1884, and acts of the Nineteenth Legislature, page 92, chapter 202, approved March 31, 1885, and to repeal all of chapter 5, title LXXXVII pertaining to roads and bridges, and to

authorize the commissioners' court to levy a tax and issue bonds to repair and improve the public roads of their respective counties, and to create a sinking fund to pay the same, and to authorize the commissioners' court to order elections to ascertain if any county or subdivision thereof are willing to be taxed to improve and keep in repair their public roads, and to repeal all laws or parts of laws not therein excepted which are in conflict with this act."

Being the pending business, was submitted to the Senate, and

On motion of Senator Burney was postponed until Monday after morning call and made the special order for that day and from day to day until disposed of.

On motion of Senator Lane,

Senate bill No. 162, a bill to be entitled "An act to amend section 1 of an act entitled an act to protect mechanics, laborers and operatives on railroads against the failure of owners, contractors and sub-contractors or agents to pay their wages when due, and provide a lien for such wages, approved February 18, 1879, by adding section 2 thereto,"

Was made the special order for tomorrow after morning call.

On motion of Senator Jarvis the regular order of business was suspended to take up

Senate bill No. 258, entitled "An act to incorporate the charter of the city of Fort Worth and to grant a new charter to said city."

The bill was laid before the Senate and

On motion of Senator Jarvis,

The Constitutional rule requiring bills to be read on three several days was suspended and the bill was

Read the second time by the following vote:

YEAS—30.

Abercrombie,	Johnson,
Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Claiborne,	Pope,
Cranford,	Seale,
Davis,	Simkins,
Field,	Sims,
Frank,	Stephens,
Glasscock,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.

NAYS—None.

The bill was ordered engrossed.

On motion of Senator Jarvis,

The constitutional rule was further suspended and the bill was placed on its third reading and final passage by the following vote:

YEAS—30.

Abercrombie,	Johnson,
Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Claiborne,	Pope,
Cranford,	Seale,
Davis,	Simkins,
Field,	Sims,
Frank,	Stephens,
Glasscock,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw.
Jarvis,	Woodward.

NAYS—None.

The bill was read the third time and passed by the following vote:

YEAS—30.

Abercrombie,	Johnson,
Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Claiborne,	Pope,
Cranford,	Seale,
Davis,	Simkins,
Field,	Sims,
Frank,	Stephens,
Glasscock,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.

NAYS—None.

Senate bill No. 24, a bill to be entitled "An act to extend the time within which lands that have been sold, or that may hereafter be sold for taxes and bought in by the State may be redeemed,"

Was laid before the Senate, read third time and

Passed by the following vote:

YEAS—30.

Abercrombie,	Claiborne,
Allen,	Cranford,
Armistead,	Davis,
Atlee,	Field,
Burges,	Frank,
Burney,	Glasscock,

Harrison,	Pope,
Ingram,	Seale,
Jarvis,	Simkins,
Johnson,	Sims,
Kimbrough,	Stephens,
Lane,	Townsend,
Maetze,	Tyler,
McDonald,	Upshaw,
Morris,	Woodward.

NAYS—None.

Senate bill No. 25, a bill to be entitled "An act to repeal chapter 8, and articles Nos. 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935 and 3936 of title 79, of the Revised Statutes of Texas."

Was laid before the Senate,

Read the third time, and passed by the following vote:

YEAS—23.

Abercrombie,	Johnson,
Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Simkins,
Cranford,	Sims,
Davis,	Stephens,
Feld,	Tyler,
Frank,	Upshaw,
Harrison,	Woodward.
Ingram,	

NAYS—6.

Claiborne,	Morris,
Glasscock,	Seale,
Jarvis,	Townsend.

ABSENT—1.

Pope.

House bill No. 3, a bill to be entitled "An act to amend article 4759, chapter 4, title 95 of the Revised Civil Statutes of the State of Texas, by adding thereto a new article to be styled article 4759d."

Was laid before the Senate,

Read the second time and passed to its third reading.

House bill No. 16, a bill to be entitled "An act to create a board of arbitration to settle and determine the controversy between the United States and the State of Texas, relating to certain territory by them respectively claimed, and to make an appropriation therefor."

Was laid before the Senate and read the second time, with committee report, that the bill be considered with Senate bill No. 103.

The committee report was adopted.

Senator Glasscock moved to consider the bill by sections.

Lost.

Senator Frank moved to substitute Senate bill No. 103 for House bill No. 16.

Adopted.

Senator Tyler moved to

Amend section 1 of Senate bill No. 103, by striking out the words "North and South Forks of Red River," and insert the words "North Fork or Red River proper, and the South Fork, formerly known as Prairie Dog Town River."

Adopted.

Senator Burges moved to reconsider the vote by which the Senate substituted Senate bill No. 103 for House bill No. 16.

Adopted.

Senator Tyler moved to

Amend section 1 of House bill No. 16 by striking out the words "North and South Forks of Red River," and insert the words "North Fork, or Red River proper, and the South Fork, formerly known as Prairie Dog Town River."

Adopted.

Senator Stephens moved to

Amend section 2 by striking out all of said section after the word "third" in line 4, and inserting in lieu thereof the words "who shall be the Chief Justice of Texas."

Lost.

Senator Sims moved to

Amend by adding after the word "Governor," in lines 6 and 7, section 5, as follows: "And agreed on by the Governor and President."

Adopted

The bill as amended passed to its third reading.

House bill No. 53, "An act to be entitled an act to amend the Revised Civil Statutes of the State of Texas, title 95, chapter 3, by adding thereto article 4705a, and to amend article 4722 thereof,"

Was laid before the Senate, and

Read the second time.

Senator Lane moved to

Amend by adding, "Provided, that this bill shall only apply to such persons as the tax assessor believes will be delinquent in paying their taxes for that year."

Senator Morris moved the previous question.

Seconded.

The main question was ordered.

Senator Lane withdrew his amendment.

The Senate refused to pass the bill

to its third reading by the following vote:

YEAS—7.

Claiborne,	Simkins,
Field,	Stephens,
McDonald,	Tyler.
Pope,	

NAYS—23.

Abercrombie,	Jarvis,
Allen,	Johnson,
Armistead,	Kimbrough,
Atlee,	Lane,
Burges,	Maetze,
Burney,	Morris,
Cranford,	Seale,
Davis,	Sims,
Frank,	Townsend,
Glasscock,	Upshaw,
Harrison,	Woodward.
Ingram,	

Senator Kimbrough entered; a motion to reconsider the vote just taken.

Senator Lane moved lay that motion on the table.

The motion to reconsider was tabled by the following vote:

YEAS—23.

Abercrombie,	Ingram,
Allen,	Johnson,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Cranford,	Seale,
Davis,	Sims,
Field,	Townsend,
Frank,	Upshaw,
Glasscock,	Woodward.
Harrison,	

NAYS—7.

Claiborne,	Simkins,
Jarvis,	Stephens,
Kimbrough,	Tyler.
Pope,	

House concurrent resolution, asking that a room in the Capitol be set apart for the deposits of marble, granite and lithographic stones and varieties and specimens of wood, finished and polished, to show the resources and qualities of building materials of the State of Texas, and thanking Messrs. W. H. Westfall, G. W. Lacy and N. L. Norton for furnishing material for the building of the new State Capitol,

Was laid before the Senate and read the second time.

The resolution passed to its third reading.

On motion of Senator Pope,

The constitutional rule was suspended and

The resolution was placed on its third reading and final passage by the following vote:

YEAS—30.

Abercrombie,	Johnson,
Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Claiborne,	Pope,
Cranford,	Seale,
Davis,	Simkins,
Field,	Sims,
Frank,	Stephens,
Glasscock,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.

NAYS—None.

The resolution was read the third time and passed.

On motion of Senator Burney, by unanimous consent of the Senate,

House bill No. 834, a bill to be entitled "An act to prescribe the times for holding the terms of the district court in the Forty-first judicial district and to repeal all laws and part of laws in conflict herewith,"

Was taken up out of its regular order.

On motion of Senator Burney,

The constitutional rule was suspended to put the bill on its second reading by the following vote:

YEAS—30.

Abercrombie,	Johnson,
Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Claiborne,	Pope,
Cranford,	Seale,
Davis,	Simkins,
Field,	Sims,
Frank,	Stephens,
Glasscock,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.

NAYS—None.

The bill was

Read the second time and passed to its third reading.

On motion of Senator Burney,

The constitutional rule was further

suspended to put the bill on its third reading and final passage by the following vote:

YEAS—30.

Abercrombie,	Johnson,
Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Clalborne,	Pope,
Cranford,	Seale,
Davis,	Simkins,
Field,	Sims,
Frank,	Stephens,
Glasscock,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.

NAYS—None.

The bill was read the third time and passed by the following vote:

YEAS—30.

Abercrombie,	Johnson,
Allen,	Kimbrough,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Clalborne,	Pope,
Cranford,	Seale,
Davis,	Simkins,
Field,	Sims,
Frank,	Stephens,
Glasscock,	Townsend,
Harrison,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.

On motion of Senator Kimbrough, the regular order of business was suspended to take up

House bill No. 439, a bill to be entitled "An act to authorize the Governor to extend further time to the Capitol Furnishing Board, expert and engineer, provided for by an act of the special session of the Twentieth Legislature, approved May 17, 1888."

The bill was laid before the Senate and

Read the second time.

Senator Lane moved to amend by changing the bill, so that only one of the commissioners be retained at the will of the Governor.

On motion of Senator Frank

The Senate adjourned until 10 o'clock a. m. to-morrow.

THIRTY-FIRST DAY.

SENATE CHAMBER,
AUSTIN, February 14, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Pope,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Seale,

Senator Morris was excused until Monday on account of important business.

On motion of Senator Pope, The Assistant Sergeant-at-Arms, H. E. Henderson, was excused until Monday, on account of important business.

On motion, of Senator Davis, The House was requested to return the House concurrent resolution creating a joint committee to meet in convention at such point as the Governor of Kansas may name to confer with committees from other States interested, with reference to the beef combine.

PETITIONS AND MEMORIALS.

By Senator Stephens:

Petition of citizens of Montague county urging the Legislature to adopt a system of county school superintendents in this State.

Referred to Committee on Education.

By Senator Claiborne:

Petition from some of the citizens of Galveston county asking repeal of occupation tax.

Referred to Committee on Finance.

By Senator Burges, by request:

Petition of citizens of Blanco county asking for the passage of an act regulating the manner of removing and locating county seats.

Referred to Committee on Counties and County Boundaries.

By Senator Maetze:

Petition of officers and managers of Seventeenth Biennial State Seenger-test of Texas.

Referred to Committee on Public Buildings and Grounds.